

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE 1 OF 23 PAGES
2. AMENDMENT/MODIFICATION NO. 01	3. EFFECTIVE DATE June 21, 2006	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY Internal Revenue Service 6009 Oxon Hill Road, Suite 500 Oxon Hill, MD 20745	CODE IRS0088	7. ADMINISTERED BY (If other than Item 6) See Item 6	CODE
8. NAME AND ADDRESS OF CONTRACTOR (No. Street, county, State and ZIP: Code)		(x)	9A. AMENDMENT OF SOLICITATION NO. TIRNO-06-r00008
			9B. DATED (SEE ITEM 11) May 25, 2008
			10A. MODIFICATION OF CONTRACT/ORDER NO.
			10B. DATED (SEE ITEM 13)
CODE	FACILITY CODE		

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☒ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATA SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and data specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(x)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☐ is required to sign this document and return copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this amendment is to:

1. REVISE STANDARD FORM 30:

A. **BLOCK 10 FOR INFORMATION CALL:** FROM DONNA ANDERSEN TO SHERRY LUTZ

B. **BLOCK 11 TELEPHONE NUMBER:** FROM (202) 283-1341 TO (202) 283-4267.

C. **BLOCK 26 NAME OF CONTRACTING OFFICER:** FROM DONNA ANDERSEN TO SHERRY LUTZ.

CONTINUED ON NEXT PAGE

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		BY (Signature of Contracting Officer)	

2. DELETE SECTION J, EXHIBIT 11, SUBCONTRACTING PLAN OUTLINE, PAGES 170-180, AND INSERT THE ATTACHED REVISED SUBCONTRACTING PLAN (ATTACHMENT 1).
3. IN SECTION J, EXHIBIT 11, INSERT ATTACHMENT 2, **IDENTIFICATION LIST OF SMALL DISADVANTAGED BUSINESS FIRMS IN TARGETED NAICS CODES PROJECTED TO BE USED ON THIS CONTRACT**, FOLLOWING THE SUBCONTRACTING PLAN OUTLINE.
4. IN SECTION J, EXHIBIT 11, INSERT ATTACHMENT 3, **Summary Sheet for Cumulative Target NAICS SDB Data by Category**, FOLLOWING THE *IDENTIFICATION LIST OF SMALL DISADVANTAGED BUSINESS FIRMS IN TARGETED NAICS CODES PROJECTED TO BE USED ON THIS CONTRACT*.
5. DELETE ALL REFERENCES TO "PERFORMANCE WORK STATEMENT" AND INSERT "STATEMENT OF WORK." (SEE PAGES 5, 6, 7, 233, 236).
6. SECTION L, PARAGRAPH L.6.6. DELETE PARAGRAPH B.iii.
7. SECTION L, PARAGRAPH L.6.6.b DELETE REFERENCE TO Exhibit 10 AND INSERT Exhibit 11.
8. SECTION L, PARAGRAPH.6.7.1, Subfactor 1(d), DELETE THE SENTENCE, "Submission of information other than that requested, including general client information, is unacceptable and will be evaluated." INSERT THE FOLLOWING SENTENCE, "Submission of information other than that requested, including general client information, is unacceptable and will NOT be evaluated."
9. SECTION L, PAGE 241, PARAGRAPH (c), delete the word "calendar."
10. SECTION M, PARAGRAPH 3, SUBFACTOR (d), paragraph (c), page 255, delete the word "calendar."
11. SECTION B, PARAGRAPH 2.4 AFTER THE FIRST SENTENCE, INSERT "THE PURPOSE FOR THE PROVISION OF INDIRECT RATES FOR NEGOTIATION OF TASK ORDERS AND FUTURE MODIFICATIONS WHICH MAY REQUIRE THE ADDITION OF LABOR CATEGORIES."
12. SECTION F, ADD THE FOLLOWING PARAGRAPH:
 - 3.8 TASK ORDERS WRITTEN FOR REQUIREMENTS OUTLINED IN PARAGRAPHS C.5 THROUGH C.10 WILL BE MANAGED AS FOLLOWS:
 - A. UPON IDENTIFICATION OF A NEW TASK , THE COTR WILL PREPARE AND SUBMIT AN INDEPENDENT GOVERNMENT COST ESTIMATE (IGCE) AND STATEMENT OF WORK (SOW) TO THE CONTRACTING OFFICER. THE SOW REQUIREMENTS MUST BE WITHIN THE SCOPE OF THE BASIC CONTRACT.
 - B. THE CONTRACTING OFFICER WILL REVIEW THE IGCE AND SOW, PREPARE AND SEND A REQUEST FOR PROPOSAL (RFP) TO THE CONTRACTOR.
 - C. THE CONTRACTOR SHALL REVIEW THE RFP AND SUBMIT A TASK PROPOSAL TO THE ACO THAT IS WITHIN THE SCOPE OF THE CONTRACT AND THE NEGOTIATED LABOR CATEGORIES, HOURS AND RATES. IN ADDITION, THE CONTRACTOR SHALL SUBMIT WITH THE PROPOSAL A MINIMUM OF THREE (3) VENDOR QUOTES OBTAINED FOR EACH ORDER.
 - D. THE COTR WILL EVALUATE THE CONTRACTOR'S TECHNICAL PROPOSAL AND PROVIDE WRITTEN NOTIFICATION TO THE CONTRACTING OFFICER WHETHER OR NOT THE PROPOSAL IS ACCEPTABLE.

E. THE CONTRACTING OFFICER WILL EVALUATE THE CONTRACTOR'S PRICE PROPOSAL, NEGOTIATE A FINAL PRICE AND THEN EXECUTE A TASK ORDER.

13. QUESTIONS AND RESPONSES FROM THE PRE-PROPOSAL CONFERENCE ARE ATTACHED AND HEREBY INCORPORATED INTO THIS SOLICITATION. SEE ATTACHMENT 4.

14. THE REQUEST FOR PROPOSAL (RFP) CLOSING DATE IS CHANGED FROM JUNE 27, 2006 TO JULY 7, 2006 AT 3:00PM. ALL SOLICITATION REFERENCES TO THE CLOSING DATE SHALL BE CHANGED TO JULY 7, 2006 AT 3:00 PM.

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

Department of the Treasury Small, HUBZone Small, Small Disadvantaged, Women-Owned Small, Veteran-Owned Small, & Service Disabled Veteran-Owned Small Business Concerns Subcontracting Plan Outline

The following outline meets the minimum requirements of Public Law 95-507 and the Federal Acquisition Regulation (FAR) Subparts 19.7. It is intended to be a guideline. It is not intended to replace any existing corporate plan which is more extensive. If you need assistance to locate small business sources, contact the Director, Office of Small Business Development at (202) 622-0530 or the bureau Small Business Specialist, Ms. Jodie Paustian, Internal Revenue Service, at (202) 283-1199. Please note that the Department of the Treasury has subcontracting goals of 41 % for small business, 3 % for HUBZone Small Business, 5 % for Small Disadvantaged Business (SDB), 5 % for Women-Owned Small Business (WOSB), and 3 % for Service Disabled Veteran-Owned Small Business (SDVOSB) for fiscal year 2006. For this procurement, the Department of the Treasury expects all proposed subcontracting plans to contain the above goals, at a minimum. Although there is no statutory goal for Veteran-Owned Small Business (VOSB) concerns, a VOSB goal must be proposed in accordance with FAR 19.7 and should represent the offeror's best effort to provide the maximum practicable opportunities for VOSBs. These percentages shall be expressed as percentages of the total available subcontracting dollars.

Identification Data:

Company Name: _____
Address: _____
Date Prepared: _____ Solicitation Number: _____
Item/Service: _____
Place of Performance: _____

1. TYPE OF PLAN: (Check only one).

- _____ INDIVIDUAL PLAN: *In this type of plan, all elements are developed specifically for this contract and are applicable for the full term of this contract.*
- _____ MASTER PLAN: *In this type of plan, goals are separately developed for this contract in an individual plan; all other elements are standard. The master plan must be approved once every three (3) years. Once incorporated into a contract with specific goals, it is valid for the life of the contract.*
- _____ COMMERCIAL PLAN: *This type of plan is used when the contractor sells products and services customarily used for non-government purposes. Plans and goals are negotiated with the initial agency on a company-wide basis rather than for individual contracts. The plan is effective only during year approved. The contractor must provide a copy of the initial agency approval, and must submit an annual Summary Subcontracting Report (SSR) in the electronic Subcontracting Reporting System (eSRS) to Treasury with a breakout of subcontracting prorated for Treasury (with a further bureau breakout, if possible).*

2. GOALS:

FAR 19.704(a)(1) requires dollar and percentage goals for using small business, HUBZone small business, small disadvantaged business, women-owned small business, veteran-owned small business, and service disabled veteran-owned small business concerns as subcontractors for the base year and each option year. (Please note that the goals for HUBZone small business, small disadvantaged business, women-owned small business, veteran-owned small business, and service disabled veteran-owned small business concerns are sub-sets of the small business goal). Express all dollar goals as a percentage of total planned subcontracting dollars. Zero percentage/dollar goals are NOT ACCEPTABLE and will not be approved.

A. Estimated dollar value of all planned subcontracting, i.e., to all types of business concerns under this contract is:

Estimated Dollar Value of All Planned Subcontracting				
Base	1 st Option	2 nd Option	3 rd Option	4 th Option
\$	\$	\$	\$	\$
100%	100%	100%	100%	100%

B. Estimated dollar value and percentage of total planned subcontracting to small business concerns is: (Include HUBZone Small, Small Disadvantaged, Women-owned Small Business, Veteran-owned Small Business and Service Disabled Veteran-Owned Small Business)

*(This figure includes the amount in C., D., E., F., and G. below.)

Subcontracting to Small Business Concerns				
Base	1 st Option	2 nd Option	3 rd Option	4 th Option
\$	\$	\$	\$	\$
%	%	%	%	%

C. Estimated dollar value and percentage of total planned subcontracting to HUBZone small business concerns is:

Subcontracting to HUBZone Small Business Concerns				
Base	1 st Option	2 nd Option	3 rd Option	4 th Option
\$	\$	\$	\$	\$
%	%	%	%	%

D. Estimated dollar value and percentage of total planned subcontracting to small disadvantaged business concerns is:

Subcontracting to Small Disadvantaged Business Concerns				
Base	1 st Option	2 nd Option	3 rd Option	4 th Option
\$	\$	\$	\$	\$
%	%	%	%	%

E. Estimated dollar value and percentage of total planned subcontracting to women-owned small business concerns is:

Subcontracting to Women-Owned Small Business Concerns				
Base	1 st Option	2 nd Option	3 rd Option	4 th Option
\$	\$	\$	\$	\$
%	%	%	%	%

F. Estimated dollar value and percentage of total planned subcontracting to veteran-owned small business concerns is:

Subcontracting to Veteran-Owned Small Business Concerns				
Base	1 st Option	2 nd Option	3 rd Option	4 th Option
\$	\$	\$	\$	\$
%	%	%	%	%

G. Estimated dollar value and percentage of total planned subcontracting to service disabled veteran-owned small business concerns is:

Subcontracting to Service Disabled Veteran-Owned Small Business Concerns				
Base	1 st Option	2 nd Option	3 rd Option	4 th Option
\$	\$	\$	\$	\$
%	%	%	%	%

** IF ANY CONTRACT HAS MORE THAN FOUR OPTIONS, PLEASE ATTACH ADDITIONAL SHEETS SHOWING DOLLAR AMOUNTS AND PERCENTAGES.

H. Supplies and/or services to be subcontracted under this contract, business size (i.e., SB, HUBZone, SDB, WOB, VOSB, SDVOSB, and LB), and the estimated dollar expenditure are: (Check all that apply).

Business Category or Size									Company Name (If Known)
Supply/ Service	Dollar Amount	Large	Small Bus.	HUBZ Small	SDB	WOSB	VOSB	SDVOSB	

(Attach additional sheets if necessary.)

I1. Explain the methods used to develop the subcontracting goals for small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns.

I2. Explain how the product and service areas to be subcontracted were established, how the areas to be subcontracted to small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns were determined.

I3. How the capabilities of small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns were determined.

I4. Identify all source lists used in the determination process.

J. Indirect and overhead costs ___ HAVE BEEN or ___ HAVE NOT BEEN included in the dollar and percentage subcontracting goals stated above. (Check one.)

K. If indirect and overhead costs HAVE BEEN included, explain the method used to determine the proportionate share of such costs to be allocated as subcontracts to small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns.

3. PROGRAM ADMINISTRATOR:

FAR 19.704(a)(7) requires information about the company employee who will administer the subcontracting program. Please provide the name, title, address, phone number, fax number, e:mail address, and position within the corporate structure and the duties of that employee.

Name: _____

Title: _____

Position: _____

Address: _____

Telephone: _____

Fax Number: _____

E:Mail Address: _____

Duties: The Program Administrator's general overall responsibility for the Contractor's subcontracting program, i.e., developing, preparing, and executing individual subcontracting plans and monitoring performance relative to this particular plan. These duties may include, but are not limited to the following activities. Does the individual named above perform the following? (If NO is checked, please indicate who in the company performs those duties, or indicate why the duties are not performed in your company.)

A. Developing and promoting company/division policy statements that demonstrate the company's/division's support for awarding contracts and subcontracts to small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns.

___ YES

___ NO

B. Developing and maintaining bidders' lists of small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns from all possible sources.

☐ YES ☐ NO

C. Ensuring periodic rotation of potential subcontractors on bidders' lists.

☐ YES ☐ NO

D. Assuring that small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns are included on the bidders' list for every subcontract solicitation for products and services they are capable of providing.

☐ YES ☐ NO

E. Ensuring that subcontract procurement "packages" are designed to permit the maximum possible participation of small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns.

☐ YES ☐ NO

F. Reviewing subcontract solicitations to remove statements, clauses, etc., which might tend to restrict or prohibit small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business participation.

☐ YES ☐ NO

G. Ensuring that the subcontract bid proposal review board documents its reasons for not selecting any low bids submitted by small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns.

☐ YES ☐ NO

H. Overseeing the establishment and maintenance of contract and subcontract award records.

☐ YES ☐ NO

I. Attending or arranging for the attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.

☐ YES ☐ NO

J. Directly or indirectly counseling small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns on subcontracting opportunities and how to prepare responsive bids to the company

☐ YES ☐ NO

K. Providing notice to subcontractors concerning penalties for misrepresentations of business status as small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, or service disabled veteran-owned small business for the purpose of obtaining a subcontract that is to be included as part or all of a goal contained in the contractor's subcontracting plan.

☐ YES ☐ NO

_____ YES _____ NO

_____ YES _____ NO

 YES NO

 YES NO

_____ YES _____ NO

FAR 19.704(a)(8) requires a description of the efforts your company will make to ensure that small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns will have an equitable opportunity to compete for subcontracts. These efforts may include, but are not limited to the following activities: (Check all that apply.)

- _____ Contacting minority and small business trade associations
- _____ Contacting business development organizations
- _____ Finding sources from the Dynamic Small Business Search of the Central Contractor Registration (CCR) System at <http://www.ccr.gov>
- _____ Attending small, HUBZone, minority, women-owned, veteran-owned, & service disabled veteran-owned small business procurement conferences and trade fairs

- _____ Presenting workshops, seminars and training programs
- _____ Establishing, maintaining and using small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business source lists, guides and other data for soliciting subcontracts
- _____ Monitoring activities to evaluate compliance with the subcontracting plan

FAR 19.704(a)(9) requires that your company provide assurances that it will include the clause at FAR 52.219-8, "Utilization of Small Business Concerns," in all subcontracts that offer further subcontracting opportunities. FAR 52.219-9(d)(9) also requires that your company agrees in this plan that it will require all subcontractors, except small business concerns, that receive subcontracts in excess of \$500,000 (\$1,000,000 for construction) to adopt a plan that complies with the requirements of FAR 52.219-9, "Small Business Subcontracting Plan."

_____ [Insert company name] agrees that the clause will be included and that the plans will be reviewed against the minimum requirements for such plans. The acceptability of percentage goals for small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns

must be determined on a case-by-case basis depending on the supplies and services involved, the availability of potential small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business subcontractors and prior experience. Once the plans are negotiated, approved, and implemented, the plans must be monitored through the submission of periodic reports, including the Individual Subcontracting Report and the Summary Subcontracting Report submitted through the electronic Subcontracting Reporting System (eSRS).

6. REPORTING AND COOPERATION

FAR 19.704(a)(10) requires that your company (1) cooperate in any studies or surveys as may be required, (2) submit periodic reports which show compliance with the subcontracting plan; (3) submit Individual Subcontracting Report and Summary Subcontracting Report through the electronic Subcontracting Reporting System (eSRS); and (4) ensure that subcontractors agree to submit the Individual Subcontracting Report and the Summary Subcontracting Report through the electronic Subcontracting Reporting System (eSRS). The cognizant Contracting Officer of the Treasury bureau awarding the contract must approve the reports through the eSRS system. The reports must be submitted electronically through the eSRS system within 30 days after the close of each calendar period. That is:

Calendar Period	Report Due	Date Due	Send Report Through the Electronic Subcontracting Reporting System (eSRS) to:
10/01–03/31	Individual Subcontracting Report (old SF 294)	04/30	Contracting Officer/Bureau Small Business Specialist
04/01–09/30	Individual Subcontracting Report (old SF 294)	10/30	Contracting Officer/Bureau Small Business Specialist
10/01–09/30	Summary Subcontracting Report (old SF 295*)	10/30	Contracting Officer/Bureau Small Business Specialist/Department of the Treasury Office of Small Business Development

*Summary Subcontracting Report **must** also be submitted to SBA's Commercial Market Representative

Contracting Officer's Address is: 	Bureau Small Business Specialist address is: Internal Revenue Service, Attn: Jodie Paustian, 6009 Oxon Hill Road, OS:A:P:P, Oxon Hill, MD 20745	Department of the Treasury Office of Small Business Development address is: Department of the Treasury, Attn: Director, Office of Small Business Development, 1500 Pennsylvania Avenue, NW, Mail Code 655 15 th /6099, Washington, DC 20220
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7. RECORDKEEPING

FAR 19.704(a)(11) requires a list of the types of records your company will maintain to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan. (Check all that apply.) (If NO is checked, please indicate why these types of records are not maintained.) These records include, but are not limited to, the following:

A. Small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concern source lists, guides, and other data identifying such vendors.

☐ YES ☐ NO

B. Organizations contacted for small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business sources.

___ YES ___ NO

C. On a contract-by-contract basis, records on all subcontract solicitations over \$100,000 which indicate for each solicitation:

- C1. Whether small business concerns were solicited, and if not, why not.
- C2. Whether HUBZone small business concerns were solicited, and if not, why not.
- C3. Whether small disadvantaged business concerns were solicited, and if not, why not.
- C4. Whether women-owned small business concerns were solicited, and if not, why not.
- C5. Whether veteran-owned small business concerns were solicited, and if not, why not
- C6. Whether service disabled veteran-owned small business concerns were solicited, and if not, why not

C7. Reasons for the failure of solicited small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns to receive the subcontract award.

___ YES ___ NO

D. Records to support other outreach efforts, e.g., contacts with minority and small business trade associations, attendance at small, HUBZone small, minority, women-owned small, veteran-owned small, and service disabled veteran-owned small business procurement conference and trade fairs.

___ YES ___ NO

E. Records to support internal activities to (1) guide and encourage purchasing personnel, e.g., workshops, seminars, training programs, incentive awards; and (2) monitor activities to evaluate compliance.

___ YES ___ NO

F. On a contract-by-contract basis, records to support subcontract award data including the name, address and business size and ownership status (SB, HUBZone, SDB, WOB, VOSB, SDVOSB, etc.) of each subcontractor. (This item is not required for company or division-wide commercial plans).

___ YES ___ NO

G. Other records to support your compliance with the subcontracting plan: (Please describe)

8. TIMELY PAYMENTS TO SUBCONTRACTORS

FAR 19.702 requires your company to establish and use procedures to ensure the timely payment of amounts due pursuant to the terms of your subcontracts with small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns.

_____ *[Insert company name]* has established and uses such procedures:

9. DESCRIPTION OF GOOD FAITH EFFORT

Maximum practicable utilization of small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business concerns as subcontractors in Government contracts is a matter of national interest with both social and economic benefits. When a contractor fails to make a good faith effort to comply with a subcontracting plan, these objectives are not achieved, and 15 U.S.C. 637(d)(4)(F) directs that the contractor must pay liquidated damages. In order to demonstrate your compliance with a good faith effort to achieve the small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service disabled veteran-owned small business subcontracting goals, **outline the steps your company plans to take.** These steps will be negotiated with the contracting officer prior to approval of the plan.

The offeror is advised that this subcontracting plan will be made a material part of the contract and that the submission of the Individual Subcontracting Report and the Summary Subcontracting Report will be made a not-separately-priced line item deliverable in the contract.

10. SIGNATURES REQUIRED

Company Signatures:

This subcontracting plan was submitted by:

Signature:

Typed Name:

Title:

Date:

Government Signatures:

This subcontracting plan was reviewed by:

Signature:

Typed Name:

Title: Contracting Officer

Date:

This subcontracting plan was reviewed by:

Signature:

Typed Name:

Title: Small Business Specialist

Date:

This subcontracting plan was **reviewed** by:

Signature:

Typed Name:

Title: Small Business Administration Representative

Date:

This subcontracting plan was **approved** by:

Signature:

Typed Name:

Title: Director, Office of Small Business Programs (or designee)

Date:

This subcontracting plan was **accepted** by:

Signature:

Typed Name:

Title: Contracting Officer

Date:

**IDENTIFICATION LIST OF SMALL DISADVANTAGED BUSINESS FIRMS IN TARGETED
NAICS CODES PROJECTED TO BE USED ON THIS CONTRACT**

Category I – Prime Contractor Target NAICS SDB Credit (Applicable only if the proposed prime Contractor is an SDB in a targeted NAICS code, and the proposed prime certifies that the Price Evaluation Adjustment factor has been waived).

Name, Address, Telephone of Contractor	Target NAICS Classification	Service Provided	\$ Amount	% of Total Contract Value
ABC Company 123 Main St. Baltimore, MD 1234	541512	Computer Systems Design Services	\$500,000	30%

Category II – Joint Venture Partners and Team Member Proposed for Target NAICS SDB Credit

Name, Address, Telephone of Contractor	Target NAICS Classification	Service Provided	\$ Amount	% of Total Contract Value
ABC Company 123 Main St. Baltimore, MD 1234	541512	Computer Systems Design Services	\$500,000	30%

Category III – Subcontractors Proposed for Target NAICS SDB Credit

Name, Address, Telephone of Contractor	Target NAICS Classification	Service Provided	\$ Amount	% of Total Contract Value
ABC Company 123 Main St. Baltimore, MD 1234	541512	Computer Systems Design Services	\$500,000	30%

Note: A separate target NAICS SDB list must be submitted for each option year of the contract.

Summary Sheet for Cumulative Target NAICS SDB Data by Category

(Note: All Summary Data shown on this sheet must reflect data for Base Year Performance and all option years.)

SUMMARY DATA:

Category I - Prime Contractor Target NAICS SDB Costs:	
Total Estimated Dollar Value of Category I Costs in Target NAICS Codes	\$ _____
% of Total Estimated Contract Costs	_____ %
Category II - Joint Venture/Partnerships/Team Members Target NAICS SDB Costs:	
Total Dollar Value of Category II Costs In Target NAICS Codes	\$ _____
% of Total Estimated Contract Costs	_____ %
Category III - Subcontractor(s) Target NAICS(s) SDB Costs:	
Total Dollar Value of Category III Costs In Target NAICS Codes	\$ _____
% of Total Estimated Contract Costs	_____ %
Total Estimated Dollar Value of Category I, Category II, and Category III costs shown above	
	\$ _____
The total of Category I, Category II, and Category III costs shown above represent _____% of total Estimated Contract Costs	
	_____ %

Question Number	Question	Response
1	<p>In the commercial real estate business, the “subject to annual appropriations” clause can create considerable difficulty with landlords and their lenders, which might view the lease as a series of 1 year commitments, rather than a firm multi-year lease contract. In short, the inclusion of such language represents risk for a landlord and different landlords will have different perceptions of this risk. To offset some of this risk, it is common commercial practice for leases to include a termination penalty. The termination penalty would be enforced if annual appropriations for the continued function of the IRS were not obtained. A typical termination penalty might include such things as unamortized Tenant Improvements, unamortized Building Shell costs, unamortized Broker Commissions (both landlord and tenant brokers), attorneys fees, the unamortized cost of building engineering reports, design costs, a penalty to offset the landlord’s subsequent downtime and marketing costs to re-lease the space, or any number of other items associated with the interruption in cash flow and unexpected vacancy. Lenders often view these ‘subject to annual appropriations’ leases as less favorable than firm, multi-year leases as might be signed by GSA for example. This ‘subject to annual appropriations’ language can lead to the tenant paying above-market rental rates and in some cases pushes landlords to offer less than standard tenant improvement packages or other concessions. Does the IRS intend to establish guidelines for Termination Penalties (or Cancellation Charges) in its standard lease? If so, please describe exactly how they will work.</p>	<p>Does the IRS intend to establish guidelines for Termination Penalties (or Cancellation Charges) in its standard lease? Yes, if required.</p> <p>If so, please describe exactly how they will work. It is anticipated that these costs will include unamortized tenant improvement allowance, lessor’s broker fees, filing fees, etc., but will be addressed during lease negotiations on a case-by-case basis.</p>
2	<p>Will the IRS include language in its SFO’s that require landlords to pay typical market rate commissions to the IRS’ broker?</p>	<p>No, commissions will be negotiated between the lessor and broker according to market conditions.</p>
3	<p>Can the IRS make any distinction between areas of varying seismicity, or will IRS require a RP6 seismic certificate on all buildings where it leases space? It seems that some federal agencies are stricter about this than others.</p>	<p>The IRS requirements are based on established FEMA seismicity standards for the geographic region.</p>
4	<p>Several months ago, the GSA sent the following email in response to an inquiry on whether the GSA’s 4 national brokers would be restricted from pursuing other Government contracts for leasing services: “...If</p>	<p>The IRS does not intend to eliminate the GSA’s national brokers from competing for this IRS contract. These contractors, if interested in participating in this solicitation, will</p>

	<p><i>the other Federal agency is a GSA customer, even if they have delegated authority from GSA to lease, our contractors cannot provide services to these Federal agency customers if they are for the services included in our contracts...”</i></p> <p>As this anticipated contract is for the same services as those under the GSA's 4 national contracts, does the IRS intend to eliminate the GSA's 4 national brokers from competing for this IRS contract?</p>	need to discuss this issue with GSA.
5	Does the IRS consider experience in representing Lessors in negotiating government lease contracts as relevant federal government leasing experience?	The IRS would consider this relevant experience, however, not as relevant as federal government tenant representation.
6	We are a small business subcontractor to a large engineering firm that is under contract to GSA. We currently provide real estate services (similar to those described in this RFP) to the GSA. We have extensive experience representing the interests of GSA and other federal agencies. Would the IRS view our relationship to GSA favorably or unfavorably?	The IRS would view this relationship as neither favorable nor unfavorable. From the small amount of information provided, we can say that this experience appears to be relevant experience.
7	We are a woman-owned small business and are considering submitting a proposal as the prime contractor, with the intent of using a large, national brokerage firm as our primary subcontractor in order to achieve full market coverage and license law compliance. We anticipate outsourcing approximately 50% to 75% of the work. We have not worked directly with the proposed large business subcontracting partner in the past. Will the IRS evaluate the qualifications of both the large business subcontractor together with our firm, or will the IRS only evaluate the past performance and experience of our proposed partnership?	Reference Section L paragraph L.6.7.1 Evaluation Factors, Subfactor 1(d) Previous Experience: “If the use of partners or subcontractors is proposed for more than 15% of the work, include this information for each partner or subcontractor.”
8	Our intended subcontractors for the ancillary services have numerous existing contracts with the IRS for services similar to those that may be required under this contract. Does IRS view this favorably or unfavorably in its evaluation of our proposal?	The IRS will view this situation neither favorably nor unfavorably. The relevancy of the experience to requirements of this solicitation and the quality of the experience (how well the contractor performed) will be evaluated. If your intended subcontractors will be performing 15% or more of the work (reference Section L, paragraph L.6.7.1, subfactor 1(d) Previous Experience), their past performance information should be included in your proposal. From the limited amount of information provided, it appears as though your intended subcontractor's experience would be considered relevant experience.
9	Will there be any contractual restrictions placed on the selected firm(s) with respect to their representing landlords that want to lease space to the IRS?	We would consider this a Conflict of Interest

10	The GSA is currently running several procurements for IRS across the country. Could the Contractor be expected to take over these procurements upon award, or will the IRS continue to use GSA for these projects until completion?	The IRS will continue to use GSA for these projects until completion.
11	The solicitation appears to refer to the Statement of Work and the Performance Work Statement interchangeable. The Statement of Work typically outlines your Scope of Services and the Performance Work Statement is a separate document that incorporates the SOW into a Performance based environment. Are you looking for the potential contractors to develop and submit a Performance Work Statement as a deliverable for this submittal?	The use of the terms "Statement of Work" and "Performance Work Statement" were used interchangeably in this solicitation. The IRS is not requesting that contractors submit a Performance Work Statement. References to "Performance Work Statement" on pages 5, 6, 7, 233 and 236 of the proposal should read "Statement of Work." An amendment will be issued to change this terminology.
12	The page limitations stated are clear; however, are you permitted to include Exhibits in the Appendix, which may be referenced in your page limited narrative?	Exhibits will be considered in the allowable page count.
13	The Solicitation states that subcontractors must be competitively bid. Does this mean that if you bring on a subcontractor to deliver and support the Statement of Work for this solicitation you would then have to re-bid the hourly's for each respective task order that requires a subcontractor?	Paragraph L.6.6 .b.iii will be deleted in Amendment 1.
14	Please explain what the "Indirect Rates" include and/or mean?	Indirect costs are known by many names, the two most common being overhead and burden. These are costs not directly associated with a specific cost objective. Basically, indirect costs are incurred for the benefit of two or more contracts. Indirect costs are usually so general in nature that they cannot be assigned or so inconsequential that they are pooled and allocated.
15	Section C.4.2.6, subsection (i), states special requirements apply if space is three or more stories above grade. Is this being driven by local occupancy permits or specific IRS requirements?	This is a GSA requirement that space 3 stories meet certain NFPA 101 requirements.
16	In M.2.2, while the price component of the evaluation of proposals "will not be assigned a numerical weight, point score, or adjective rating," identify the basis on which the value of the price component of the evaluation of offers will be determined.	The awardee for this acquisition will be selected using a tradeoff process, commonly called Best Value. The IRS will consider award to other than the highest technical offeror or the lowest priced offeror. The Source Selection Authority has the authority to make price/technical tradeoffs among price and non-price factors in a manner consistent with the award methodology stated in Sections L and M of the solicitation.
17	In M.3, Factor 1, Subfactor (d) and in Factor 2, does "relevant work" defined as similar in nature exclude work performed for the private,	Work performed for the private, non-government, sector which is similar in size and scope of the work required by this

	non-government, sector?	solicitation will be considered relevant work. However, the more similar the work, the more relevant it will be considered.
18	Has the word “not” been omitted from the final sentence in the introductory paragraph of Section L.6.7.1, Subfactor 1(d)? Similarly, has the word “calendar” been omitted after “three” in the same paragraph, as it should be consistent with the same requirement in Section M?	(a) Yes, the solicitation will be amended to reflect this omission and insert the word “not” in the referenced sentence. (b) Sections L and M will be changed to omit the word calendar.
19	What effect, if any, as identified on the Client Account Data Form in Section L.6.7.1, page 240, will the lack of experience or minimal experience re “construction of office space” and “relocation” have on the evaluation of an offeror’s technical proposal?	As explained in Question 16, the tradeoff process will be used to select the awardee. Section M, paragraph M.3, Factor 1, subfactor (d) Previous Experience will have equal importance with the other subfactors for this Factor.
20	In Section B.1., what is the likelihood that IRS will develop and implement a new process/system, as Electronic Lease Management System or E-leasing process; if so, how soon might this occur?	The IRS may or may not develop and implement a new process/system, an Electronic Lease Management System or E-leasing process. However, we are keeping our options open at this point.
21	Similarly, in Section B.1., what “nontraditional and innovative procurement methods and techniques” is IRS considering which would be applicable to this procurement	None are planned at this time; however the IRS reserves its right to change its processes.
22	In Section C.2., Scope states that the “contractor may be required to provide ancillary services ... as stated in Section C.5 through C.10. How will the Contractor be compensated for those services, especially as these may not be required as part of the initial task order (See C.5) as protests, claims, other legal actions, FOIA requests, congressional inquiries, etc? Will the contractor be asked to submit a cost proposal and be paid separately to do this work based on the fees to be established at Section B?	No. We foresee this requirement to be furnishing data and information to the IRS in the case of a protest or claim. Should the IRS need expert witnesses for a lengthy period of time, we will discuss issuing a separate purchase order at that time.
23	Section G of the solicitation discusses the roles and responsibilities of the CO, COTR, the alternate COTR and LPM. Approximately how many CO’s will have the authority to issues (sic) task orders against the contract? Are they centrally or regionally located?	At this time, one Contracting Office located in the National Headquarters Office will issue orders against the resultant contract.
24	Exhibit 16 lists several major leases. Does IRS anticipate any of these to be build-to-suit transactions?	No. We do not anticipate any build-to-suit transactions.
25	Exhibit 16 lists several leases where the annual rental may very well exceed GSA’s prospectus-level threshold, thus requiring approval by the GSA Congressional Committees – see the 192,139 s/f Denver lease expiring in 2007. Will the contractor be expected to work with IRS/GSA on issues such as governmental authorizations/approvals? Since the lease is delegated by GSA, will GSA receive the prospectus authority? If not, how will Congress authorize these leases?	Prospectus level leases are not part of this solicitation.

26	Can the IRS brokerage contractor represent a Lessor on an unrelated project while simultaneously representing IRS on a task order for lease acquisition services (assuming that the personnel of the brokerage firm or subcontractor representing IRS is not involved with the unrelated project nor receiving fees from the unrelated project)?	These issues should be identified in the requested conflict of interest mitigation plan required in Section L.6.7.1, subfactor 1(a), paragraph 6.
27	Can a bidder be a prime and/or a subcontractor for another offeror/proposer?	This is at the subcontractor's discretion whether or not to team with more than one prime offeror. Vendors acting as a prime contractor may only submit one proposal.
28	Can the IRS brokerage contractor offer space/building under a procurement for which the brokerage contractor has been issued a task order for tenant representations services (assuming that the personnel of the brokerage firm or subcontractor representing IRS is not involved with the unrelated project nor receiving fees from the unrelated project)?	These issues should be identified in the requested conflict of interest mitigation plan required in Section L.6.7.1, subfactor 1(a), paragraph 6.
29	The IRS solicitation outlines the award of a Requirements Contract to only one firm. How will IRS handle a lease acquisition procurement in the event the one firm has a conflict of interest or performance problem where they cannot fulfill the specific task order or other contractual obligations?	The IRS may furnish any of the requirements within its own capability. Any other requirements will be furnished by the contractor. Refer to Section I.18 FAR clause 52.216-21.
30	Section L.6.7.1 requires the submission of "relevant experience" and "client account data." Please specify any page limitation to demonstrate relevant experience.	Please reference Section L, paragraph L.6.7.1: <u>Subfactor 1(d) Previous Experience</u> Page Limitation: Submit only the minimum number of pages necessary to provide the account data requested below. Submission of information other than that requested, including general client information, is unacceptable and not will be evaluated. (Note: the word "not" will be inserted by an amendment to the solicitation.)
31	Section L.6.7.1 and M.3 require relevant experience shown by "an aggregate total of 30 annual lease acquisition transactions ... in the past three calendar years ...". We believe this provision requires an aggregate total of 30 annual lease transactions in each of the past three calendar years. Please confirm this understanding.	We are requesting no more than a total of 30 annual lease acquisition transactions. These 30 transactions shall be no older than 3 years. We are NOT requesting 30 lease transactions for each year.
32	Pursuant to the question above, please define how many relevant experience transactions should be actually demonstrated in the offer.	30
33	Can an offeror identify the same subcontractor(s) as another offeror has identified?	Please see response to question 27.
34	Is the entire lease commission payment due the contractor at the time of a lease award?	OPEN

35	<p>Please clarify how the commission will be established on a lease transaction, as follows:</p> <ul style="list-style-type: none"> - Between the IRS broker and Lessor under a separate agreement; or - Stated in the commission paragraph of the SFO whereas all Offerors bid on the same commission amount; or - The amount of commission stated in the offer from the Lessor that is awarded the lease. If so, what happens if the commission amount is not fair and reasonable and does not represent common business practice? 	Commission terms and conditions will be negotiated between broker and lessor.
36	<p>How many contracts may be awarded by IRS through this RFP effort? How many, if any, are set aside for small business respondents?</p>	The IRS intends to award one requirements contract from this solicitation. This is a full and open competition.
37	<p>What definitions are being used for "rural," "urban" and "major metropolitan" area in Section L?</p>	<p>Rural is defined as any community with a population of less than 50K that is not immediately adjacent to a city with a population of over 50K. Urban is defined as any incorporated community with a population of 10K or more.</p> <p>A community between 10K and 50K is urban per GSA and rural under RDA. But no conflict based on a GAO decision.</p>
38	<p>What working definition should be used for "regionally" in the Leasing Experience Chart in L.6.7?</p>	OPEN
39	<p>Please clarify the intent of the Indirect Rate Chart in B.2.4</p>	The Indirect Rate Chart is requested to facilitate future negotiations should additional labor categories be required in the architect/engineering pricing section or the relocation pricing section. An amendment will be issued to clarify this point.
40	<p>Please clarify that our Subcontracting Plan volume should include not just the prescribed small and disadvantaged business subcontracting plan, but also one single page highlighting how our plan encourages Small Disadvantaged Business participation as a subset of all small business participation.</p>	Section J, Exhibit 11 will be revised in Amendment 1 to include the SDB Target Form and the SDB Target Identification List Form. Each offeror shall complete these two additional forms as well as the Subcontracting Plan Outline.
41	<p>On page 26 - Section B.2.4 - Indirect Rates. We do not understand what this table and what indirect rates are here. And who should be completing this - the Broker, the A/E, or the Relo person? Just need some clarification as to what you are asking for and what "indirect rates" are.</p>	Please see the response to questions 14 and 39 above.
42	<p>On page 236, Section J, Exhibit 11, the solicitation states, <i>All offerors, including small business concerns, must provide, with their proposals, targets expressed as dollars and a percentage of the estimated contract value, \$3 Million annually (to include commissions paid to brokers by the lessors), and how the targets were developed.</i> Does the</p>	This \$3M figure was purposely selected as a low expectation for purposes of completing the small business plan goals. At this time an accurate estimate is unknown because the IRS does not know which expiring leases will have facilities available in the GSA inventory and which leases will require

	IRS anticipate no more than an aggregate of \$3million for broker services, A/E work and relocation services to be awarded to the selected contractor?	broker services.
43	<p>A follow-up question to the answers to questions 31 and 32 (from the Pre-Bid Conference Q&A hand out) regarding the number of relevant experience transactions to be provided in our response.</p> <p>The answers indicate that 30 such transactions should be provided in our offer. We would like to clarify that this is not the limit for the number of transactions provided in our response to point 10 of the Client Account Data in Subfactor 1(d) in Section L.6.7.1, but instead the number of transactions we single out and detail as providing services similar in size and complexity as those which will be required by the IRS.</p>	Your understanding is correct.
44	Is the small business standard for NAICS 531210 currently \$1.5M or \$2M?	\$2M. Please correct the cover letter to the solicitation, changing "SMALL BUSINESS SIZE STANDARD: \$1.5M" TO SMALL BUSINESS SIZE STANDARD: \$2M".
45	Can a company submit as a prime on one proposal and a subcontractor on another proposal?	Yes. The only restriction is on the number of offers a company can submit as a prime contractor. Companies are restricted to submittal of one offer as a prime contractor.
46	Will there be a 10% evaluation preference for an 8(a) company acting as a prime contractor?	No. There has never been a 10% preference for 8(a) firms. However, at one time there was a price preference for small disadvantaged businesses (SDBs) and the majority of 8(a) firms fall into that category. The SDB price preference expired n April 19, 2006.
47	<p>Reference question # 13 – competitive bidding for subcontracts.</p> <p>A) Does this apply to all subcontractors and all types of subcontractors?</p> <p>B) If the prime contractor is meeting the % and goals of subcontracting in each class, please clarify the types of competition sought.</p>	Paragraph L.6.6 .b.iii will be deleted in Amendment 1.
48	<p>Would IRS consider establishing a competitive range for each procurement?</p> <p>If not, then would IRS consider stating the commission rate in the SFO's for each procurement?</p> <p>If not, then would the IRS consider establishing a competitive range: for each procurement and any offers not containing a market rate commission within that competitive range be excluded from consideration?</p>	OPEN
49	How will IRS cover travel cost of the winner broker or the broker's subcontractors?	Travel costs associated with services referenced in Sections C.1 through C.4 of the Statement of Work will be absorbed by

	Depending on the size of the project the broker or moving services subcontractor may have travel expenses. Travel is not listed on pricing pages.	commissions received. Travel costs associated with services referenced in Sections C.5 through C.10 of the Statement of Work will be treated as other direct costs (ODCs) and included in any task orders negotiated for those services.
50	What leases will be available to the service provider?	Requirements for leasing of facilities of less than 10,000 sq ft will fulfilled by GSA as will prospectus level leases. The IRS may have the capacity to perform a limited number of smaller leases.
51	How many leases will the service provider be given?	OPEN
52	How will funds be made available to the lessor?	Leases will be paid on a monthly basis.
53	Will leases be for a 5 year firm term?	Leases will be for a 5 year firm term funded annually. IRS will either fund the 5 year term "up front" or allow the awardee to negotiate termination terms for inclusion in the lease.
54	If you lack the ability to pay the termination fees, you will have the ability to pay termination fees?	OPEN
55	What if a lessor refuses to pay a commission or a market rate commission?	OPEN
56	Will IRS consider using a different method of present value analysis from that used by GSA due to the problems being experienced by brokers on the GSA broker contracts today?	OPEN